

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EH FUSION PARTY,
DAVID GRUBER, BONNIE BRADY, ELIZABETH
A. BAMBRICK, RONA S. KLOPMAN, DELL R.
CULLUM, RICHARD P. DREW, II, SUSAN M.
VORPHAL, STEPHEN M. LESTER, DAVID
TALMAGE, FALLON NIGRO, MICHAEL HAVENS,
and SIMON V. KINSELLA,

No.19-cv-03511

DECLARATION

Plaintiffs

-against-

SUFFOLK COUNTY BOARD OF ELECTIONS,
COMMISSIONER ANITA S. KATZ and
COMMISSIONER NICK LALOTA,

Defendants.

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GAIL M. LOLIS and ERIN MC TIERNAN, pursuant to 28 U.S.C. Sect. 1746,
declares:

1. That we are employed by the Suffolk County Board of Elections as Democratic Deputy Commissioner and Republican Sr. Assistant Commissioner, respectively and are attorneys duly admitted to practice law in the State of New York.
2. That we have been duly authorized by the Board to duplicate or cause to be duplicated records of the Board and to certify the accurate representation of such reproduction.
3. We submit this declaration in support of Defendants' motion for a stay and/or abstention of the instant action, or alternatively, for summary judgment pursuant to F.R.C.P. Rule 56.

4. The documents attached hereto are true and complete copies of the originals (and/or photocopies) on file with the Board. Such records are prepared and or maintained by the Board in the regular course of business of the Board.

5. Annexed hereto as **Exhibit "1"** are the Nominating Petitions filed by the Plaintiffs on or about May 21, 2019 and May 28, 2019.

6. Annexed hereto as **Exhibit "2"** are the Plaintiffs' voter registration records.

7. Annexed hereto as **Exhibit "3"** are Certificates of Acceptances that Plaintiffs filed with the Board in 2019 for other political parties of which they are not enrolled in 2019.

8. Annexed hereto as **Exhibit "4"** are letters that were duly mailed to each Plaintiff on May 21, 2019.

9. Annexed hereto as **Exhibit "5"** is the unacknowledged Acceptance filed by Plaintiff Simon V. Kinsella.

10. Annexed hereto as **Exhibit "6"** are the Board's Meeting Minutes dated June 5, 2019.

11. Annexed hereto as **Exhibit "7"** are letters that were duly mailed to each Plaintiff on June 5, 2019.

12. Annexed hereto as **Exhibit "8"** are Certificates of Substitution to Fill Vacancies filed by the Plaintiffs following the invalidation of their Nominating Petitions.

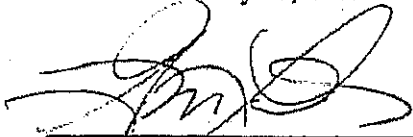
13. Annexed hereto as **Exhibit "9"** are the Board's Meeting Minutes dated June 13, 2019.

14. Annexed hereto as **Exhibit "10"** is the list of candidates running for Town of East Hampton public office(s) this November 2019 General Election.

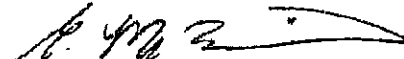
15. We declare under penalty of perjury that the foregoing is true and correct.

WHEREFORE, it is respectfully requested that Defendants' motion be granted.

Executed on July 17, 2019



Gail M. Lolis, Deputy Commissioner



Erin McTiernan, Sr. Assistant Commissioner